

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

SOUTHWEST AIR AMBULANCE,
INC., a New Mexico corporation; and
JOHN RICHARDSON,

Plaintiffs,
vs. CIVIL NO. 99-622 LGF/DJS

CITY OF LAS CRUCES, a political
subdivision of the State of New Mexico,

Defendant.

ORDER OF CLARIFICATION

The case is on appeal and the District Court lacks jurisdiction except to perfect the record. Stewart v. Donges, 915 F.2d 572, 575 & n. 3 (10th Cir. 1990). This present order is intended to clarify the status of a prior ruling and to remove, for statistical purposes, an erroneous “pending motion” from the Court’s automated data system.

On September 24, 1999, Plaintiff filed a motion for reconsideration and to alter or amend judgment pursuant to Fed. R. Civ. P. 59(e)[Doc. 17]. That motion was denied on November 2, 1999 [Doc. 21]. The Court’s order stated in part on page 2, “Plaintiff’s motion for reconsideration is denied.” It did not refer to Plaintiff’s request to alter or amend. The intent was to deny the motion in its entirety. So as to clarify the status of this matter, the Court’s November 2, 1999 also denied Plaintiff’s request to alter or amend.

Lorenzo F. Garcia
Lorenzo F. Garcia
United States Magistrate Judge